



Three Points-Liebre Mountain Town Council
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4 June 2014

SENT VIA EMAIL

Planner Ms. Thuy Hua
Los Angeles County Department of Regional Planning
320 West Temple Street 13th Floor
Los Angeles, CA 90012
Email: thua@planning.lacounty.gov

Subject: Notice of Preparation, Los Angeles County Regional Planning Renewable Energy Ordinance

Dear Ms. Hua

On behalf of our Town Council, I am writing in response to the Notice of Preparation (NOP) for the proposed Renewable Energy Ordinance (REO) that will apply to all unincorporated areas of Los Angeles County. I begin by stating that it may be difficult to completely ascertain all impacts to applicable areas while the REO is still in draft form and subject to change. This may not be fair to respondents attempting to comment and essentially trying to hit a moving target.

As ever, our Council seeks to preserve our rural community atmosphere, our viewshed, SEAs and highly biotic places, and protect our residents from encroachment of unsuitable development and resultant impacts.

I start by asking why reviewing agencies do not include: the Coastal Commission, since utility-scale and small scale renewable energy (RE) has the potential to affect viewshed in coastal areas; National Parks, due to the presence of Santa Monica Mountains National Recreation Area (National Park Service); Resource Conservation District of Santa Monica Mountains Area; State Department of Parks and Recreation, who, in our area, oversees the Poppy Reserve SP, Saddleback Buttes SP, the Antelope Valley Indian Museum SHP, Arthur B. Ripley Desert Woodland SP, and many in other parts of the county, also potentially affected by the proposed REO.

Aesthetics--Scenic resources have not been completely identified and codified in zoning and ordinance in other planning documents as yet unapproved. The NOP recognizes the county-wide nature of the REO, and suggests several measures intended to reduce impacts to scenic areas and assumes these measures will adequately address destruction of viewshed. Please explore *how* these measures will make utility-scale RE visually pleasing, since wind turbines can be seen for many miles. A study by the Argonne Laboratory states: "The facilities were found to be visible to the unaided eye at >36 mi (58 km) under optimal viewing conditions, with turbine blade movement often visible at 24 mi (39 km). Under favorable viewing conditions, the wind facilities were judged to be major foci of visual attention at up to 12 mi (19 km) and

were likely to be noticed by casual observers at >23 mi (37 km). A conservative interpretation suggests that for such facilities, an appropriate radius for visual impact analyses would be 30 mi (48 km), that the facilities would be unlikely to be missed by casual observers at distances of up to 20 mi (32 km), and that the facilities could be major sources of visual contrast at distances of up to 10 mi (16 km).” There are several locations in the Antelope Valley where visual effects of industrial solar and wind projects can be seen.

Even though the Scenic Highway Element was not codified, the GP expects proper evaluation of development in designated scenic areas, and includes even “proposed” scenic highways (GP, Scenic Highways, III-54). The Land Use Element details design review for Scenic Highways, in part, stating, “The proposed development should be designed to create a consistent visual relationship with surrounding development with the natural terrain and vegetation,” and “structures and landscaping should complement and enhance scenic views” (GP, III-54).

“The project should protect the visual quality of highly scenic areas and views from scenic highways, roads, trails and key vantage points” (GP, Resource Protection, III-72).

The Rural Outdoor Lighting Ordinance defines usage to limit nighttime glare and light intrusion into dark skies. The ordinance is superseded by the Federal Aviation Administration's requirement for aviation lighting on towers 200 feet and taller. The NOP statement that “Mandatory compliance for all new building permits ensures that future projects under the proposed ordinance, in combination with all past, present, and future projects, will not contribute to a cumulatively considerable impact. Therefore, compliance with the County’s Rural Outdoor Lighting District Ordinance and lighting requirements of the proposed ordinance ensures that the project will not create a significant new source of substantial light that would adversely affect daytime or nighttime views in the area, on a project or cumulative level.” Considerable impacts result from aviation lighting. Explain *how* the Rural Outdoor Lighting Ordinance protects night skies from flashing red beacons on towers 200 feet and taller, and *how* this is not a significant or cumulative impact.

Glare from solar panels appears like water at some distances, and has reportedly caused the death of endangered migratory birds seeking water. Glare also affects viewshed to residents nearby.

Agriculture/Forest—Again we request that agricultural lands require a zone change to “Industrial Zone.” Just because the zone allows for electrical generating systems does not mean the use is compatible for such industrial uses and should be continued.

We believe watershed zones should be excluded from zones available to RE development, and any projects that would be allowed with a CUP, could produce significant impacts.

Air Quality—The less than significant impacts listed for air quality should not be judged by whether or not the Antelope Valley reaches attainment of particulate matter on a daily basis. What should be considered, is whether the ordinance will contribute to increases in air quality issues. At this time, no best management plans, or adherence to Rule 403, the AVAQMD's dust control standards, has been able to control fugitive dust. We think this is a problem that results in great potential impacts to residents in the AV. Cumulative effects from multiple projects across thousands of acres should be discussed; this is not a “less than significant impact” as noted.

Dilution of pollutants like dust do not occur within one-quarter mile. Wind-driven dust storms cross the AV

for miles. Sensitive receptors should be considered much more distant than one-quarter mile. This is a significant impact and implementation of the proposed ordinance *would* expose sensitive populations to excessive levels of air pollutants.

Biological Resources—Concerning the protection of water resources, just because permitting agencies review a project, or “notification” is made, does not mean there will not be substantial impacts. Quite often projects are approved that destroy existing resources and attempt to replace them at some other location. There can be significant impacts to water resources, vernal pools, etc.

Energy—Actually there may be significant impact produced by the development of renewable energy projects that require large tracts of land. Recent research reveals that desert environments perform CO₂ sequestration through plants and soil organisms and microorganisms. Destruction of land by said projects will contribute to the increase of greenhouse gases. This should be considered “significant.”

Geology and Soils—Seismic shaking could cause disruption of electrical wiring or cause transformer buildings or wind turbines to shift off their foundations, with the high risk of fire. Areas subject to liquefaction should be presumed to cause the same danger. What happens to 50 storey wind turbines in seismic events? Falling structural components could result in fire and hazardous material spill, possibly igniting and polluting surface and ground water.”

Landslide could result in significant impacts to the community from mountainous, heavily graded roads, affecting watersheds and residents in proximity to projects.

The Hillside Management Plan does not address or approve 50 storey structures in hillside areas. This is the equivalent of placing a skyscraper on a 25% slope. This may be a conflict with the REO.

Greenhouse Gas Emissions--"Climate changes resulting from GHG emissions could produce an array of adverse environmental impacts, including water supply shortages, severe drought, increased flooding, sea-level rise, air pollution from increased formation of ground-level ozone (O₃) and particulate matter (PM_{2.5}, PM₁₀), ecosystem changes, increased wildfire risk, agricultural impacts, and ocean and terrestrial species impacts, among other adverse effects.” Well, several of these will result from the destruction of thousands of acres of Antelope Valley Audubon Important Bird Area, agricultural areas, particulate matter-fugitive dust pollution, and increased wildfire risk.

No Check box marked for **b) Conflict with any applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases?**

Hazards and Hazardous Materials—Release of hazardous chemicals is quite possible during normal operations and could have significant impacts when turbines may contain 500 gallons of petroleum-based fluids, and transformers house hundreds of gallons of dielectric oil. Potential to cause pollution and a hazardous waste cleanup. What if a site is abandoned? Is there requirement for insurance or superfund cleanup? Who oversees compliance responsibility? Lack of oversight is common; what guarantee do we have materials are safely handled, and who is ultimately responsible for cleanup that could affect water, air, and soil quality and safety?

Project specific emergency plans may be inadequate in protecting residents from emergency occurrences. Fire departments are often many miles away in rural areas, and may need four-wheel drive in some situations to access turbines or solar arrays. Significant impact is indicated.

Projects have the possibility to alter streambeds and watercourses and could have significant impact downsite with deposition of water and silt.

Thousands of acres of solar panels represent “rooftops,” essentially impervious surfaces, themselves. This poses a significant impact for drainage and possible flooding to roadways and adjacent properties during heavy rain events. County approved building in Quartz Hill cause serious flooding for years with “approved” drainage plans required for permits.

Land Use and Planning—Inconsistencies with the General Plan and the Antelope Valley Areawide Plan are indicated. “Scattered throughout the Antelope Valley are a wide variety of very low density, rural villages which are worthy of protection. Each is uniquely identifiable from its surroundings. Their residents express a sense of community pride and local identity. . . it is important to sustain these areas as unique, low-density “living environments” (AVAP 1986, Community Recognition, Section III-1).

The GP in its Land Use Section/Scenic Highways, III-55 states, “Commercial or industrial uses should be conducted entirely within closed buildings, except for restaurants, recreational uses and gasoline service stations.”

(AVAP 1986, Community Recognition, Section III-1). Policy statements in the AVAP seek to “Promote air quality that is compatible with health, well-being, and enjoyment of life. The public nuisance, property and vegetative damage, and deterioration of aesthetic qualities that result from air pollution contaminants should be prevented to the greatest degree possible”(Policy Statements, Natural Resources, V-17, Number 140).

Several points were voiced and are worthy of exploration in the PEIR. Ground water adjudication, Urban heat island effect from solar facilities, Important Bird Areas, edge effects to public and private conservation lands, and finally, what would a build-out of Renewable Energy Projects look like and what effects would they have on the Antelope Valley and the County-wide?

Respectfully,

A handwritten signature in cursive script, reading "Susan Zahnter".

Susan Zahnter
Vice President